

## Message Text

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ORIGIN L-03

INFO OCT-01 EUR-12 ISO-00 PM-04 NSC-05 SP-02 SS-15 CIAE-00

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DRAFTED BY L/EUR:JWWILLIS:NMC

APPROVED BY L:MLEIGH

EUR/SE - MR. LEDSKY

L/EUR - MR. RUSSELL

EUR - MR. HARTMAN

NSC - MR. CLIFT

S/S - MR. ORTIZ

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R 220053Z APR 76

FM SECSTATE WASHDC

TO AMEMBASSY ANKARA

CONFIDENTIAL STATE 097276

E.O. 11652: GDS

TAGS:THGA, ETRD, EAID, MILI, PFOR, TU, US

SUBJECT: LOCKHEED INVESTIGATION: PROPOSED REPLY TO TURKISH  
PARLIAMENTARY COMMITTEE LETTER TO THE PRESIDENT

REFS: (A) ANKARA 2963: (B) STATE 091904

1. THE FOLLOWING IS THE TEXT OF A PROPOSED LETTER FROM  
DEPARTMENT LEGAL ADVISER, MONROE LEIGH, TO ALPASLAN.  
BEGIN TEXT: DEAR MR. ALPASLAN: YOUR LETTER TO PRESIDENT  
FORD INFORMING HIM OF THE ESTABLISHMENT OF A PARLIAMENTARY  
COMMITTEE TO INVESTIGATE ALLEGATIONS OF ILLICIT TRANS-  
ACTIONS OF LOCKHEED INVOLVING TURKEY AND ASKING THAT HE  
INSTRUCT UNITED STATES AUTHORITIES TO COOPERATE WITH YOUR  
COMMITTEE HAS BEEN REFERRED TO ME FOR REPLY.

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AS YOU MAY KNOW, THE POLICY OF THE UNITED STATES GOVERNMENT

IN RESPONDING TO REQUESTS OF FOREIGN GOVERNMENTS FOR INFORMATION INVOLVING THEIR OFFICIALS IN THE ALLEGED ILLICIT TRANSACTIONS OF LOCKHEED IS TO ESTABLISH A FRAMEWORK BETWEEN OUR DEPARTMENT OF JUSTICE AND THE FOREIGN MINISTRY OF JUSTICE AS THE RESPECTIVE LAW ENFORCEMENT AGENCIES FOR THE RECIPROCAL EXCHANGE OF SUCH INFORMATION. THIS

MECHANISM FOR THE TRANSMISSION OF ALL SUCH MATERIAL IS REQUISITE FOR PROTECTING THE INTEGRITY OF ONGOING UNITED STATES INVESTIGATIONS AND THE RIGHTS OF INDIVIDUALS.

PURSUANT TO A REQUEST FROM THE TURKISH MINISTRY OF FOREIGN AFFAIRS, OUR DEPARTMENT OF JUSTICE IS CURRENTLY NEGOTIATING AN AGREEMENT WITH YOUR MINISTRY OF JUSTICE TO PROVIDE FOR THE EXCHANGE OF THE REQUESTED MATERIALS. I TRUST THAT THIS DRAFT AGREEMENT, WHICH WOULD KEEP THE EXCHANGE OF DOCUMENTS IN LAW ENFORCEMENT CHANNELS AND WHICH IS CONSISTENT WITH THE AGREEMENTS RECENTLY CONCLUDED FOR THIS PURPOSE WITH OTHER COUNTRIES, WILL SERVE YOUR GOVERNMENT'S NEED FOR CLARIFICATION OF THE ALLEGATIONS INVOLVING TURKEY. SINCERELY, MONROE LEIGH  
END OF TEXT.

2. EMBASSY REQUESTED TO DEFER TRANSMITTAL TO MR. ALPASLAN UNTIL NOTIFIED BY DEPARTMENT. FYI: AS EXPLAINED IN PARA 3 OF REFTEL B, THE DRAFT AGREEMENT CONTAINS A PROVISION ENVISAGING PARLIAMENTARY INVESTIGATION. JUSTICE DEPARTMENT NOW INTENDS TO SEEK A TIGHTENING OF THIS PROVISION (LAST SENTENCE OF FIRST PARAGRAPH OF ARTICLE 4 OF TEXT OF DRAFT AGREEMENT SET FORTH IN PARA 4 OF REFTEL (B)) RESTRICTING ITS APPLICATION TO "ANY AGENCY OF THE EXECUTIVE BRANCH." BOTH THE LEGAL ADVISER, MR. LEIGH, AND THE JUSTICE DEPARTMENT ARE CONCERNED OVER THE POSSIBILITY THAT WITH THE GROWING TREND OF PARLIAMENTARY COMMITTEES OF INVESTIGATION, THE LOCKHEED MATERIALS WILL ESCAPE FROM LAW ENFORCEMENT CHANNELS AND THUS JEOPARDIZE THE INTEGRITY OF ONGOING U.S. INVESTIGATIONS AND THE RIGHTS OF INDIVIDUALS.

3. SINCE THE DRAFT AGREEMENT WITH TURKISH MINISTRY OF CONFIDENTIAL

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JUSTICE AS IT NOW STANDS IS IN THIS ONE REGARD INCONSISTENT WITH MR. LEIGH'S PROPOSED LETTER AND THE LATEST POSITION OF JUSTICE, THE LETTER SHOULD NOT BE TRANSMITTED UNTIL THIS INCONSISTENCY IS CORRECTED IN THE DRAFT AGREEMENT. END FYI

KISSINGER

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## Message Attributes

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**TAGS:** ETRD, EAID, MILI, PFOR, TU, US, LOCKHEED  
**To:** ANKARA  
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